

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Claims 1 and 9 are currently being amended. No Claims are being added. Claims 32-39 were previously withdrawn from consideration as a result of the restriction requirement contained in the Office Action of August 13, 2003 on the present application. The restriction requirement was timely traversed by applicant in a Response to Restriction Requirement filed September 4, 2003. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. After the above amendments, Claims 1-31 remain in the application.

In the Office Action of July 2, 2004, Claims 1-31 were rejected as anticipated under 35 U.S.C. § 102 and/or unpatentable under 35 U.S.C. § 103(a) in light of various references cited by the Examiner. Reconsideration of the rejection of those Claims as being anticipated under 35 U.S.C. § 102 and/or unpatentable under 35 U.S.C. § 103(a) in light of the references cited by the Examiner is respectfully requested for the reasons discussed below. It is respectfully noted that no details of any rejection of Claim 3 were presented in the Office Action.

In the Office Action of July 2, 2004, Claim 1 was rejected under 35 U.S.C. § 102 as anticipated by U.S. Pat. No. 2,808,884 to Shann, et al. ("Shann"). Reconsideration of the rejection of Claim 1, as amended, as being anticipated by Shann is respectfully requested for the reasons discussed below. In particular, while the textile apparatus of Shann includes

elements that bear a superficial resemblance to Applicant's invention, it is respectfully submitted that Shann does not teach all of the limitations of Claim 1 as amended.

The Office Action identifies the anvil roll 4 and the guide roll 8 of Shann as corresponding to the "guides mounted at the discharge end of the conveyor" required by Claim 1. Initially, it is noted that the anvil roll 4 and guide roll 8 of Shann could not function as the guides required by Claim 1. In particular, passing a sheet of plastic that includes molded plastic parts between the anvil roll 4 and the guide roll 8 of Shann would crush and destroy the molded plastic parts, so the anvil roll 4 and the guide roll 8 of Shann could not be the guides required by Claim 1.

Nonetheless, Claim 1 has been amended to more particularly identify applicant's invention as requiring "guide rods mounted at the discharge end of the conveyor to guide plastic sheet discharged from the conveyor into the trim press." The anvil roll 4 and the guide roll 8 of Shann are not "guide rods" as required by Claim 1 as amended. Reconsideration of the rejection of Claim 1, as amended, as being anticipated by Shann is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 7 was also rejected under 35 U.S.C. § 102 as anticipated by Shann. Claim 7 depends directly from Claim 1 and incorporates the features thereof, so that claim should also be allowable over Shann for the reasons discussed above in the context of Claim 1, and for at least one additional reason.

In particular, it is respectfully submitted that Shann does not teach all of the limitations of Claim 7, which requires a conveyor belt that is "formed of a flexible plastic material having a selected coefficient of friction with regard to plastic sheet material to be supported by the conveyor." The Office Action does not identify where Shann teaches such a

conveyor belt formed of flexible plastic material, or having a selected coefficient of friction with regard to plastic sheet material. Reconsideration of the rejection of Claim 7 as being anticipated by Shann is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 8 was also rejected under 35 U.S.C. § 102 as anticipated by Shann. Claim 8 depends directly from Claim 1 and incorporate the features thereof, so that claim should also be allowable over Shann for the reasons discussed above in the context of Claim 1.

In the Office Action of July 2, 2004, Claim 1 was rejected under 35 U.S.C. § 102 as anticipated by U.S. Pat. No. 3,912,258 to Martin ("Martin"). Reconsideration of the rejection of Claim 1, as amended, as being anticipated by Martin is respectfully requested for the reasons discussed below. In particular, while the conveyor system of Martin includes elements that bear a superficial resemblance to Applicant's invention, it is respectfully submitted that Martin does not teach all of the limitations of Claim 1 as amended.

The Office Action identifies the back stops 92 and 93 of Martin as corresponding to the "guides mounted at the discharge end of the conveyor" required by Claim 1. Initially, it is noted that the back stops 92 and 93 of Martin could not be the guides required by Claim 1 because those back stops are not "mounted at the discharge end of the conveyor to guide plastic sheet discharged from the conveyor into the trim press" as required by Claim 1. The back stops 92 and 93 of Martin are located at a position after the sheet material has already been cut and arranged into bundles of cut sheet material portions, as shown in Fig. 1A of Martin. The back stops of Martin do not guide any sheet material, plastic or otherwise, into a trim press. Instead, the back stops of Martin align bundles of cut sheet portions.

As discussed above, Claim 1 has been amended to more particularly identify applicant's invention as requiring "guide rods mounted at the discharge end of the conveyor to guide plastic sheet discharged from the conveyor into the trim press." The back stops of Martin are not "guide rods" as required by Claim 1 as amended. Reconsideration of the rejection of Claim 1, as amended, as being anticipated by Martin is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 7 was also rejected under 35 U.S.C. § 102 as anticipated by Martin. Claim 7 depends directly from Claim 1 and incorporates the features thereof, so that claim should also be allowable over Martin for the reasons discussed above in the context of Claim 1, and for at least one additional reason.

In particular, it is respectfully submitted that Martin does not teach all of the limitations of Claim 7, which requires a conveyor belt that is "formed of a flexible plastic material having a selected coefficient of friction with regard to plastic sheet material to be supported by the conveyor." The Office Action does not identify where Martin teaches such a conveyor belt formed of flexible plastic material, or having a selected coefficient of friction with regard to plastic sheet material. Reconsideration of the rejection of Claim 7 as being anticipated by Martin is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 8 was also rejected under 35 U.S.C. § 102 as anticipated by Martin. Claim 8 depends directly from Claim 1 and incorporate the features thereof, so that claim should also be allowable over Martin for the reasons discussed above in the context of Claim 1.

In the Office Action of July 2, 2004, Claim 2 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of U.S. Pat. No. 2,817,376 to

Johannsen (“Johannsen”), further in view of U.S. Pat. No. 5,087,313 to Duecker (“Duecker”). Claim 2 depends directly from Claim 1 and incorporate the features thereof, so that claim should also be allowable for the reasons discussed above in the context of Claim 1, in particular Martin does not disclose the guide rods required by Claim 1, as amended.

In the Office Action of July 2, 2004, Claims 4-5 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of U.S. Pat. No. 4,055,859 to Green (“Green”). Claims 4-5 depend directly or indirectly from Claim 1, and incorporate the features thereof, so reconsideration of the rejection of Claims 4-5 under §103(a) is respectfully requested in light of the foregoing discussion of Martin with respect to Claim 1, and for at least three additional reasons discussed below.

First, it is respectfully submitted that Green is not analogous prior art. The invention of Green relates to a machine for making a garment, and in particular to a machine for forming and severing the neck loop of a garment. Problems such as scratching of the plastic material, generation of plastic dust, stretching of the plastic material, and reduced setup time for different thermoplastic parts that are addressed by applicant’s invention simply do not appear in garment manufacturing, so the field of garment manufacturing is not reasonably pertinent to applicant’s invention.

Second, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin and Green devices to form applicant’s inventions of Claims 4-5, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant’s disclosure. Thus, even hypothetically assuming that Green would constitute analogous prior art that

could properly be combined with Martin, that combination would still be improper. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

The Office Action asserts that it “would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin’s device by providing the limit switch and the trip rod as taught by Green in order to obtain a device to shut down the conveyor when the system is exhausted.” However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin and Green devices to form applicant’s inventions of Claims 4-5.

Third, it is respectfully submitted that there is no showing that the combination of Martin and Green would teach or suggest all of the limitations of Claim 4-5. Although the Office Action identifies “a limit switch (122 and 123) and a trip rod 115” in Green, applicant’s review of Green shows that item 122 is “a neck pull and cut mechanism (col. 6, line 18 in Green), item 123 is a “depending roller” (col. 6, line 21 in Green), and item 115 is a “pivotally supported dancer arm” (col. 5, line 60 in Green).

Even assuming that the Office Action’s identification of a limit switch was in reference to items 222 and 223 in Green, these are still not the same as the “means for detecting a plastic sheet extending outwardly from the discharge end of the conveyor belt a selected distance and for controlling the motor of the conveyor to shut off power to the motor when a section of plastic sheet exiting the conveyor extends the selected distance from the discharge end, and for supplying power to the motor to drive the conveyor when the plastic sheet exiting from the conveyor does not extend the selected distance outwardly from the discharge end of the conveyor” required by Claim 4 of applicant’s invention.

Similarly, even assuming that the Office Action's identification of a limit switch was in reference to items 222 and 223 in Green, these are still not the same as the "a limit switch with a trip rod extending therefrom mounted such that the trip rod is spaced a selected distance from the discharge end of the conveyor in position to be contacted by a section of plastic sheet discharged from the conveyor, the limit switch electrically connected to the motor for the conveyor to shut off power to the motor when a section of plastic sheet is in contact with the trip rod so as to trip the limit switch, and to supply power to the motor to drive the conveyor when the plastic sheet exiting from the conveyor is out of contact with the trip rod" required by Claim 5 of applicant's invention.

In light of the foregoing discussion, reconsideration of the rejection of Claims 4-5 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claim 6 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green further in view of U.S. Pat. No. 4,9976,524 to Nieminen et al ("Nieminen"). Claim 6 depends directly or indirectly from Claims 1 and 4, and incorporate the features thereof, so reconsideration of the rejection of Claim 6 under §103(a) is respectfully requested in light of the foregoing discussion of Martin with respect to Claim 1, and in light of the foregoing discussion of Green with respect to Claims 4-5, and for at least one additional reason discussed below.

In particular, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin, Green, and Nieminen devices to form applicant's inventions of Claim 6, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's disclosure. The Office Action asserts that it "would have been obvious to

one having ordinary skill in the art at the time the invention was made to have modified Martin's device by providing the blower as taught by Nieminen in order to obtain a device to release the sheet from the conveyor and guide the sheet." However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin, Green, and Nieminen devices to form applicant's invention of Claim 6. Reconsideration of the rejection of Claim 6 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claims 9-10 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of U.S. Pat. No. 3,743,114 to Van Linder et al. ("Van Linder"). Claims 9-10 depend directly or indirectly from Claim 1, and incorporate the features thereof, so reconsideration of the rejection of Claims 9-10 under §103(a) is respectfully requested in light of the foregoing discussion of Martin with respect to Claim 1, and for at least three additional reasons discussed below.

First, it is respectfully submitted that Van Linder is not analogous prior art. The invention of Van Linder relates to a machine for making batteries, and in particular to a machine for feeding storage battery plates. Problems such as scratching of the plastic material, generation of plastic dust, stretching of the plastic material, and reduced setup time for different thermoplastic parts that are addressed by applicant's invention simply do not appear in feeding storage battery plates, so the field of storage battery plates is not reasonably pertinent to applicant's invention.

Second, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin and Van Linder devices to form applicant's inventions of Claims 9-10, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's

disclosure. Thus, even hypothetically assuming that Van Linder would constitute analogous prior art that could properly be combined with Martin, that combination would still be improper.

The Office Action asserts that it “would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin’s device by providing the curved guide rods as taught by Linder in order to obtain a device to better support bottom and upper edges of the sheet.” However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin and Van Linder devices to form applicant’s inventions of Claims 9-10. Further, the curved guide rods of Claims 9-10 of the present application do not support the bottom and upper edges of a plastic sheet, those guide rods guide the plastic sheet to a position where it is fed into the trim press.

Third, it is respectfully submitted that there is no showing that the combination of Martin and Van Linder would teach or suggest all of the limitations of Claim 4-5. Although the Office Action identifies “curved guide rods (51 and 127)” in Van Linder, applicant’s review of Van Linder shows that item 127 in Van Linder is a leaf spring, not a guide rod. Further, the curved guide rods 51 and the leaf spring 127 of Van Linder do not form structures “extending above and below the position of plastic sheet exiting from the discharge end of the conveyor and formed to guide the plastic sheet to a position where it is fed into the trim press” as required by Claims 9-10.

Although the Office Action states that “the modified device of Martin teaches the use of means 97 for adjustably setting the lateral position,” applicant’s review of Martin shows that item 97 in Martin is a width adjusting shaft that can be used to adjust the width,

but not the side-to-side position of material being transported. Further, the width adjusting shaft 97 of Martin is not connected to any guide rods, so it is not the “means for adjustably setting the lateral positions of the curved guide rods” required by Claim 10.

In light of the foregoing discussion, reconsideration of the rejection of Claims 9-10 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claim 11 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker. Reconsideration of the rejection of Claim 11 under §103(a) is respectfully requested for at least the reasons discussed below.

First, it is respectfully submitted that Martin and Duecker are not analogous prior art. The invention of Martin relates to a machine for making bundles of cut sheet portions, for example corrugated cardboard sheets. The invention of Duecker relates to a machine for making a slit pieces of finished corrugated board, particularly to aligning the layers that go into the finished corrugated board. Problems such as scratching of the plastic material, generation of plastic dust, stretching of the plastic material, and reduced setup time for different thermoplastic parts that are addressed by applicant’s invention simply do not appear in corrugated cardboard manufacturing, so the fields of Martin and Duecker are not reasonably pertinent to applicant’s invention.

Second, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin and Duecker devices to form applicant’s inventions of Claim 11, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant’s disclosure.

Thus, even hypothetically assuming that Martin and Duecker would both constitute analogous prior art that could properly be combined, that combination would still be improper.

The Office Action asserts that it “would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin’s conveyor by providing guide plates as taught by Duecker in order to confine the sheet as it travels with the conveyor.” However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin and Duecker devices to form applicant’s invention of Claim 11. Further, the lateral guide plates of Claim 11 of the present application do not confine the sheet as it travels with the conveyor, the lateral guide plates of Claim 11 laterally position an incoming sheet.

Third, it is respectfully submitted that there is no showing that the combination of Martin and Duecker would teach or suggest all of the limitations of Claim 11. Although the Office Action identifies “guide plates 54-55” in Duecker, applicant’s review of Duecker shows that the guide plates 54-55 of Duecker are positioned in the middle of the transport path of the paper web, and are not “positioned above the top facing side of the conveyor belt proximate to the intake end of the conveyor to laterally position an incoming sheet” as required by Claim 11.

In light of the foregoing discussion, reconsideration of the rejection of Claim 11 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claim 19 was also rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker. Claim 19 depends directly from Claim 11 and incorporates the features thereof, so that claim should also be

allowable over the combination of Martin and Duecker for the reasons discussed above in the context of Claim 11, and for at least one additional reason.

In particular, it is respectfully submitted that Martin does not teach all of the limitations of Claim 19, which requires a conveyor belt that is “formed of a flexible plastic material having a selected coefficient of friction with regard to plastic sheet material to be supported by the conveyor.” The Office Action does not identify where Martin or Duecker teaches such a conveyor belt formed of flexible plastic material, or having a selected coefficient of friction with regard to plastic sheet material. Reconsideration of the rejection of Claim 19 as being anticipated by Martin is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 20 was also rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker. Claim 20 depends directly from Claim 11 and incorporates the features thereof, so that claim should also be allowable over Martin and Duecker for the reasons discussed above in the context of Claim 11.

In the Office Action of July 2, 2004, Claims 12-15 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker further in view of Johannsen. Claims 12-15 depend directly or indirectly from Claim 11 and incorporate the features thereof, so those claims should also be allowable for the reasons discussed above in the context of Claim 11, in particular Martin does not disclose the lateral guide plates “positioned above the top facing side of the conveyor belt proximate to the intake end of the conveyor to laterally position an incoming sheet” as required by Claim 11. Reconsideration of the rejection of Claim 12-15 as unpatentable over Martin and Duecker is therefore respectfully requested.

In the Office Action of July 2, 2004, Claims 16-17 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker further in view of Green. Claims 16-17 depend directly or indirectly from Claim 11 and incorporate the features thereof, so those claims should also be allowable for the reasons discussed above in the context of Claim 11, in particular Martin does not disclose the lateral guide plates “positioned above the top facing side of the conveyor belt proximate to the intake end of the conveyor to laterally position an incoming sheet” as required by Claim 11.

Further, as discussed above in the context of Claim 4, Green does not teach the “means for detecting a plastic sheet extending outwardly from the discharge end of the conveyor belt a selected distance and for controlling the motor of the conveyor to shut off power to the motor when a section of plastic sheet exiting the conveyor extends the selected distance from the discharge end, and for supplying power to the motor to drive the conveyor when the plastic sheet exiting from the conveyor does not extend the selected distance outwardly from the discharge end of the conveyor” required by Claim 16.

Similarly, as discussed above in the context of Claim 5, Green does not teach the “limit switch with a trip rod extending therefrom mounted such that the trip rod is spaced a selected distance from the discharge end of the conveyor in position to be contacted by a section of plastic sheet discharged from the conveyor, the limit switch electrically connected to the motor for the conveyor to shut off power to the motor when a section of plastic sheet is in contact with the trip rod so as to trip the limit switch, and to supply power to the motor to drive the conveyor when the plastic sheet exiting from the conveyor is out of contact with the trip rod.” required by Claim 17.

In light of the foregoing discussion, reconsideration of the rejection of Claims 16-17 as unpatentable over Martin, Duecker, and Green is respectfully requested.

In the Office Action of July 2, 2004, Claim 18 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker further in view of Nieminen. Claim 18 depends directly from Claim 16, and incorporates the features thereof, so reconsideration of the rejection of Claim 18 under §103(a) is respectfully requested in light of the foregoing discussion with respect to Claim 16, and for at least one additional reason discussed below.

In particular, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin, Duecker, and Nieminen devices to form applicant's invention of Claim 18, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's disclosure. The Office Action asserts that it "would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin's device by providing the blower as taught by Nieminen in order to obtain a device to release the sheet from the conveyor and guide the sheet." However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin, Duecker, and Nieminen devices to form applicant's invention of Claim 18. Reconsideration of the rejection of Claim 18 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claims 21 and 22 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Duecker, further in view of Van Linder. Claims 21-22 depend directly or indirectly from Claim 11, and incorporate the features thereof, so reconsideration of the rejection of Claims 21-22 under §103(a) is

respectfully requested in light of the foregoing discussion with respect to Claim 11, and for at least three additional reasons discussed below.

First, as discussed in the context of Claims 9-10, it is respectfully submitted that Van Linder is not analogous prior art.

Second, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin, Duecker, and Van Linder devices to form applicant's inventions of Claims 21-22, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's disclosure. Thus, even hypothetically assuming that Martin, Duecker, and Van Linder would all constitute analogous prior art that could properly be combined, that combination would still be improper.

The Office Action asserts that it "would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin's device by providing the curved guide rods as taught by Linder in order to obtain a device to better support bottom and upper edges of the sheet." However, the Office Action has not shown that the prior art *and not impermissible hindsight* teaches any such motivation to combine features of the Martin, Duecker, and Van Linder devices to form applicant's inventions of Claims 21-22. Further, the curved guide rods of Claims 21-22 of the present application do not support the bottom and upper edges of a plastic sheet, those guide rods guide the plastic sheet to a position where it is fed into the trim press.

Third, it is respectfully submitted that there is no showing that the combination of Martin and Van Linder would teach or suggest all of the limitations of Claim 21-22. As discussed above in the context of claims 9-10, the curved guide rods 51 and the leaf spring

127 of Van Linder do not form structures “extending above and below the position of plastic sheet exiting from the discharge end of the conveyor and formed to guide the plastic sheet to a position where it is fed into the trim press” as required by Claims 21-22.

Similarly, as discussed above in the context of Claim 10, the width adjusting shaft 97 of Martin is not connected to any guide rods, and does not set lateral position of anything, so it is not the “means for adjustably setting the lateral positions of the curved guide rods” required by Claim 22.

In light of the foregoing discussion, reconsideration of the rejection of Claims 21-22 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claim 23 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green. As discussed above in the context of Claim 4, Green does not teach the “means for detecting a plastic sheet extending outwardly from the discharge end of the conveyor belt a selected distance and for controlling the motor of the conveyor to shut off power to the motor when a section of plastic sheet exiting the conveyor extends the selected distance from the discharge end, and for supplying power to the motor to drive the conveyor when the plastic sheet exiting from the conveyor does not extend the selected distance outwardly from the discharge end of the conveyor” required by Claim 23. Reconsideration of the rejection of Claim 23 under §103(a) is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 26 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green. Claim 26 depends directly from Claim 23 and incorporates the features thereof, so that claim should also be

allowable over Martin and Green for the reasons discussed above in the context of Claim 23, and for at least one additional reason.

In particular, as discussed in the context of Claim 5, Green does not teach the “limit switch with a trip rod extending therefrom mounted such that the trip rod is spaced a selected distance from the discharge end of the conveyor in position to be contacted by a section of plastic sheet discharged from the conveyor, the limit switch electrically connected to the motor for the conveyor to shut off power to the motor when a section of plastic sheet is in contact with the trip rod so as to trip the limit switch, and to supply power to the motor to drive the conveyor when the plastic sheet exiting from the conveyor is out of contact with the trip rod” required by Claim 26. Reconsideration of the rejection of Claim 26 under §103(a) is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 28 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green. Claim 28 depends directly from Claim 23 and incorporates the features thereof, so that claim should also be allowable over Martin and Green for the reasons discussed above in the context of Claim 23, and for at least one additional reason.

In particular, neither Martin nor Green teaches the conveyor belt “formed of a flexible plastic material having a selected coefficient of friction with regard to plastic sheet material to be supported by the conveyor” required by Claim 28. The Office Action does not identify where Martin or Green teaches such a conveyor belt formed of flexible plastic material, or having a selected coefficient of friction with regard to plastic sheet material. Reconsideration of the rejection of Claim 28 under §103(a) is therefore respectfully requested.

In the Office Action of July 2, 2004, Claim 29 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green. Claim 29 depends directly from Claim 23 and incorporates the features thereof, so that claim should also be allowable over Martin and Green for the reasons discussed above in the context of Claim 23.

In light of the foregoing discussion, reconsideration of the rejection of Claims 23, 26, 28, and 29 as unpatentable over Martin and Green is respectfully requested.

In the Office Action of July 2, 2004, Claims 24-25 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green, further in view of Johannsen and Duecker. Claims 24-25 depend directly or indirectly from Claim 23 and incorporates the features thereof, so those claims should also be allowable over Martin and Green for the reasons discussed above in the context of Claim 23, and for the additional reasons discussed below.

First, as discussed in the context of Claim 11, it is respectfully submitted that Martin and Duecker are not analogous prior art.

Second, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin, Green, Johannsen, and Duecker devices to form applicant's inventions of Claims 24-25, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's disclosure. Thus, even hypothetically assuming that Martin and Duecker would both constitute analogous prior art that could properly be combined, that combination would still be improper.

The Office Action asserts that it "would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin's

conveyor by providing guide plates as taught by Duecker in order to confine the sheet as it travels with the conveyor.” However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin and Duecker devices to form applicant’s invention of Claim 24-25. Further, the lateral guide plates of Claim 24-25 of the present application do not confine the sheet as it travels with the conveyor, the lateral guide plates of Claim 24-25 must be in position to laterally position an incoming sheet.

Third, it is respectfully submitted that there is no showing that the combination of Martin, Green, Johannsen and Duecker would teach or suggest all of the limitations of Claim 24-25. Although the Office Action identifies “guide plates 54-55” in Duecker, applicant’s review of Duecker shows that the guide plates 54-55 of Duecker are positioned in the middle of the transport path of the paper web, and are not “lateral guide plates in position above the top facing side of the conveyor to laterally position an incoming sheet” as required by Claims 24-25.

In light of the foregoing discussion, reconsideration of the rejection of Claims 24-25 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claim 27 was rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green further in view of U.S. Nieminen. Claim 27 depends directly from Claim 23, and incorporates the features thereof, so reconsideration of the rejection of Claim 27 under §103(a) is respectfully requested in light of the foregoing discussion with respect to Claim 23, and for at least one additional reason discussed below.

In particular, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin, Green, and

Niemenen devices to form applicant's inventions of Claim 27, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's disclosure. The Office Action asserts that it "would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin's device by providing the blower as taught by Niemenen in order to obtain a device to release the sheet from the conveyor and guide the sheet." However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin, Green, and Niemenen devices to form applicant's invention of Claim 27. Reconsideration of the rejection of Claim 27 under §103(a) is respectfully requested.

In the Office Action of July 2, 2004, Claims 30-31 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Martin in view of Green further in view of Van Linder. Claims 30-31 depend directly or indirectly from Claim 23, and incorporate the features thereof, so reconsideration of the rejection of Claims 30-31 under §103(a) is respectfully requested in light of the foregoing discussion with respect to Claim 23, and for at least three additional reasons discussed below.

First, as discussed above in the context of Claims 9-10, it is respectfully submitted that Van Linder is not analogous prior art.

Second, it is respectfully submitted that the Office Action has not identified any suggestion or motivation to combine features of the Martin, Green, and Van Linder devices to form applicant's inventions of Claims 30-31, where the suggestion or motivation to combine is found in the prior art and not as a result of impermissible hindsight using applicant's disclosure. Thus, even hypothetically assuming that Martin, Green, and Van

Linder would all constitute analogous prior art that could properly be combined, that combination would still be improper.

The Office Action asserts that it “would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Martin’s device by providing the curved guide rods as taught by Linder in order to obtain a device to better support bottom and upper edges of the sheet.” However, the Office Action has not shown that the prior art teaches any such motivation to combine features of the Martin and Van Linder devices to form applicant’s inventions of Claims 30-31. Further, the curved guide rods of Claims 30-31 of the present application do not support the bottom and upper edges of a plastic sheet, those guide rods guide the plastic sheet to a position where it is fed into the trim press.

Third, it is respectfully submitted that there is no showing that the combination of Martin, Green, and Van Linder would teach or suggest all of the limitations of Claim 30-31. As discussed in the context of Claims 9-10, the curved guide rods 51 and the leaf spring 127 of Van Linder do not form structures “curved guide rods mounted to the frame and extending above and below the position of plastic sheet exiting from the discharge end of the conveyor and formed to guide the plastic sheet to a position where it may be fed into a trim press” as required by Claims 30-31.

Although the Office Action states that “the modified device of Martin teaches the use of means 97 for adjustably setting the lateral position,” as discussed above in the context of Claims 4-5, the width adjusting shaft 97 of Martin is not connected to any guide rods, so it is not the “means for adjustably setting the lateral positions of the guide rods” required by Claim 31.

In light of the foregoing discussion, reconsideration of the rejection of Claims 30-31 under §103(a) is respectfully requested.

In light of the preceding discussion, Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

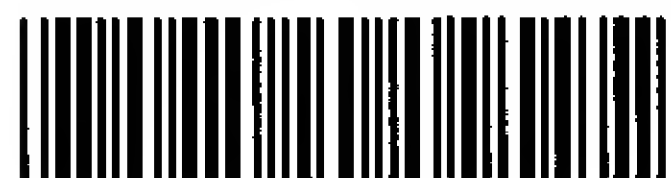
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Respectfully submitted,

Date December 2, 2004

By 

FOLEY & LARDNER LLP
Customer Number: 23524



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